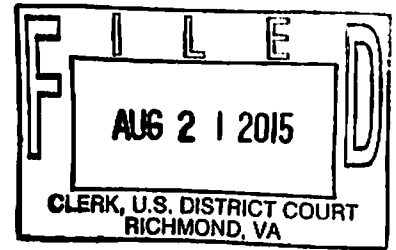


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



JEREMY GERALD, et al.,

Plaintiffs,

v.

Civil Action No. **3:15CV283**

JOSEPH A. HIGGS, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on June 4, 2015, the Court conditionally docketed the action. At that time, the Court directed each Plaintiff to affirm his intention to pay the full filing fee by signing and returning a consent to the collection of fees form. The Court warned each Plaintiff that a failure to comply with the above directive within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Neither Fitzroy Pink nor Charles Bumbrey has complied with the Court's order to return a consent to collection of fees form. As a result, they do not qualify for *in forma pauperis* status. Furthermore, they have not paid the statutory filing fee for the instant action. *See* 28 U.S.C. §1914(a). Pink's and Bumbrey's conduct demonstrates a willful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, all claims by Pink and Bumbrey will be **DISMISSED WITHOUT PREJUDICE**.

An appropriate Order shall accompany this Memorandum Opinion.

Date: *8-19-15*
Richmond, Virginia

/s/
James R. Spencer
Senior U. S. District Judge